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**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**☐Declaration  
Submitted  
With Initial  
Filing

OR

☐Declaration  
Submitted after Initial  
Filing (surcharge  
(37 CFR 1.16 (e))  
required)

Attorney Docket Number

NA

First Named Inventor

WILLIAM S. SMITH

COMPLETE IF KNOWN

Application Number

Filing Date

Art Unit

Examiner Name

**I hereby declare that:**

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

MULTI-LAYERED, LAMINATED, HIGH BARRIER, CORROSION INHIBITING FLEXIBLE PACKAGING MATERIAL

(Title of the Invention)

the specification of which

☒

is attached hereto

OR

☐

was filed on (MM/DD/YYYY)

as United States Application Number or PCT International

Application Number

and was amended on (MM/DD/YYYY)

(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application<br>Number(s) | Country | Foreign Filing Date<br>(MM/DD/YYYY) | Priority<br>Not Claimed  | Certified Copy Attached? |                          |
|--|---------|-------------------------------------|--------------------------|--------------------------|--------------------------|
|  |         |                                     |                          | Yes                      | No                       |
| NA                                     |         |                                     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|  |         |                                     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|  |         |                                     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|  |         |                                     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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## DECLARATION — Utility or Design Patent Application

Direct all correspondence to: ☐ Customer Number:  OR ☒ Correspondence address below

Name

HERITAGE PACKAGING

Address

400 MASON ROAD

City

FAIRPORT

State

NEW YORK

ZIP

14450

Country

USA

Telephone

(585) 223-1336

Fax

(585) 223-1365

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name

(first and middle [if any])

WILLIAM STUART

Family Name

or Surname

SMITH

Inventor's  
Signature

William J. Stuart

Date

2/6/04

Residence: City

FAIRPORT

State

NEW YORK

Country

USA

Citizenship

US

Mailing Address

37 BROADMOON TRAIL

City

FAIRPORT

State

NEW YORK

ZIP

14450

Country

USA

NAME OF SECOND INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name

(first and middle [if any])

JOSEPH JOHN

Family Name

or Surname

DISABANTONIO

Inventor's  
Signature

Joseph D. Sabantoni

Date

2-6-04

Residence: City

VICTOR

State

NEW YORK

Country

USA

Citizenship

US

Mailing Address

1135 RIDGE CREST DRIVE

City

VICTOR

State

NEW YORK

ZIP

14564

Country

USA

☒ Additional inventors or a legal representative are being named on the 1 supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.

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**DECLARATION****ADDITIONAL INVENTOR(S)**

Supplemental Sheet

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|   |            |   |     |
|---|------------|---|-----|
| <b>Name of Additional Joint Inventor, if any:</b> |            | <input type="checkbox"/> A petition has been filed for this unsigned inventor |     |
| Given Name (first and middle (if any))            |            | Family Name or Surname  |     |
| BORIS   |            | MIKSIC  |     |
| Inventor's Signature                              |            | Date  |     |
| Residence: City                                   | NORTH OAKS | State   | MN  |
| Country   | USA        | Citizenship   | US  |
| Mailing Address                                   |            |   |     |
| 21 EVERGREEN ROAD                                 |            |   |     |
| Mailing Address                                   |            |   |     |
| City  | NORTH OAKS | State   | MN  |
| Zip   | 55127      | Country   | USA |
| <b>Name of Additional Joint Inventor, if any:</b> |            | <input type="checkbox"/> A petition has been filed for this unsigned inventor |     |
| Given Name (first and middle (if any))            |            | Family Name or Surname  |     |
|   |            |   |     |
| Inventor's Signature                              |            | Date  |     |
| Residence: City                                   |            | State   |     |
| Country   |            | Citizenship   |     |
| Mailing Address                                   |            |   |     |
| Mailing Address                                   |            |   |     |
| City  |            | State   |     |
| Zip   |            | Country   |     |
| <b>Name of Additional Joint Inventor, if any:</b> |            | <input type="checkbox"/> A petition has been filed for this unsigned inventor |     |
| Given Name (first and middle (if any))            |            | Family Name or Surname  |     |
|   |            |   |     |
| Inventor's Signature                              |            | Date  |     |
| Residence: City                                   |            | State   |     |
| Country   |            | Citizenship   |     |
| Mailing Address                                   |            |   |     |
| Mailing Address                                   |            |   |     |
| City  |            | State   |     |
| Zip   |            | Country   |     |

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# Applicant's Claim of Small Entity Status

Per 37 CFR1.27  
&  
13 CFR121.802

February 9, 2004

W. Stuart Smith, Inc., a New York corporation, dba Heritage Packaging, with an office and place of business at 400 Mason Road, Fairport, NY 14450 hereby certifies that it meets the SBA size limitations of a Small Business Concern as per the CFR chapters noted above. We therefore claim status as a Small Entity under 37 CFR1.27 (a) (2) (i) & (ii), permitting us to apply for a patent with payment of small entity fees.

Signed: William A. Smith

Title: PRESIDENT

Date: 2/9/04